

Book Reviews

THE RIGHT THING¹

REVIEWED BY LIEUTENANT COLONEL ANTHONY R. TEMPESTA²

On February 9, 2001, Navy Commander (CDR) (O-5) Scott Waddle, captain³ of the U.S.S. *Greeneville*,⁴ did not do the right thing.

On that day, CDR Waddle took his ship from Pearl Harbor, Hawaii, out on a “distinguished visitors’ cruise,”⁵ a Navy-approved public relations program permitting passengers, generally civilians, to ride aboard a nuclear submarine. The Navy instituted the several-hour trip to impress sixteen civilian visitors with the ship’s capabilities and the crew’s proficiency.⁶ Regrettably, the day’s events turned tragic. Having fallen behind schedule, CDR Waddle, in an attempt to make up time, rushed through established procedures designed to ensure that the surface was clear before ascending the submarine.⁷ Commander Waddle gave the order to ascend rapidly to the surface,⁸ and as the submarine did, it collided with the *Ehime Maru*, a Japanese fishing boat.⁹ The *Ehime Maru* sank within minutes,¹⁰ and nine Japanese¹¹ were lost at sea.¹² The collision became an international incident and the first foreign policy test of George W. Bush’s presidency.¹³

The book, which is characterized as an “Inspiration/Motivational/Autobiography,”¹⁴ has value to the military reader for its insight into the military justice process and a military commander’s mindset.

Commander Waddle traces the story of his youth and military career for the first hundred pages of the book, providing glimpses of the strengths and weaknesses of his character. At one point, CDR Waddle describes himself as being part Boy Scout and part rebel,¹⁵ but he neglects to mention a third element: Commander Waddle was part showman, and he craved the

¹ SCOTT WADDLE (COMMANDER, UNITED STATES NAVY (RETIRED)) WITH KEN ABRAHAM, *THE RIGHT THING* (Integrity Publishers 2002).

² Judge Advocate General’s Corps, Lieutenant Colonel, United States Army Reserve. Currently serving on active duty in Iraq as Command Judge Advocate, 926th Engineer Group, on a 485-day mobilization in support of Operation Iraqi Freedom.

³ The reader should not confuse the term “captain,” meaning the commanding officer of a ship, with the Navy rank of “captain,” which is the equivalent of an O-6 or colonel in any of the other branches. Waddle was the captain (commanding officer) of the *Greeneville*, but had the rank of Navy commander. See Ed Offley, *Understanding Military Rank*, available at <http://www.journalism.org/resources/tools/ethics/wartime/rank.asp> (last visited Sept. 22, 2004).

⁴ The U.S.S. *Greeneville* (SSN 772) is a *Los Angeles*-class nuclear fast-attack submarine. WADDLE, *supra* note 1, at 81, 114. The Navy commissioned the ship in 1996 at a cost of more than \$900 million. *Id.* at 70. Many in the Navy viewed the submarine and her crew as the pride of the Pacific Fleet. Jean Christensen, *Sub Was Pride of the Fleet*, CORPUS CHRISTI CALLER-TIMES, Mar. 19, 2001, available at <http://www.caller2.com/2001/march/19/today/national/20697.html>.

⁵ WADDLE, *supra* note 1, at 108.

⁶ *Id.*

⁷ *Id.* at 122-23.

⁸ Technically, the order is for an emergency main ballast blow, but it is commonly referred to as an “emergency blow.” *Id.* at 127.

⁹ *Id.* at 127-28, 136.

¹⁰ *Id.* at 129. While the watertight integrity of the *Greeneville* was not compromised in the collision, it sustained over two million dollars’ worth of damage. *Id.* at 236.

¹¹ Those missing included four teenage male students (Toshiya Sakashima, Yusuke Terata, Takeshi Mizuguchi, and Katsuya Nomoto) and five adult male crewmembers and teachers (Hiroataka Segawa, Toshimichi Furuya, Hiroshi Nishida, Hiroshi Makisawa, and Jyun Nakata). *A Tribute to the Missing*, HONOLULU ADVERTISER, Feb. 9, 2001, available at <http://www.honoluluadvertiser.com/specials/ehimemissing/missing.html>.

¹² Mike Gordon, *Survivor Search Halted*, HONOLULU ADVERTISER, Mar. 3, 2001, available at <http://the.honoluluadvertiser.com/2001/Mar/03/localnews12.html>. Eight of the nine bodies were eventually recovered; the ninth was never found. CBSNews.com, *Ehime Maru Laid to Rest*, Nov. 26, 2001, at <http://uttm.com/stories/2001/11/08/world/main317373.shtml>.

¹³ WADDLE, *supra* note 1, at 2.

¹⁴ *Id.* at back cover of dust jacket.

¹⁵ *Id.* at 36.

spotlight.¹⁶ That fact is immediately evident from an April 21, 2001 photograph¹⁷ that appears on the rear side of the book's dust jacket showing a dejected CDR Waddle looking down as his former ship heads out to sea without him.¹⁸ It is a poignant photograph, yet sullied by the realization that the crew of the *Greeneville* crowded the deck to wave goodbye to the man who had been their captain without knowing that he had turned the moment into a photo-op.¹⁹

Before the incident, Commander Waddle had a stellar career, and it appeared that he would one day reach the rank of admiral.²⁰ Yet Commander Waddle admits he was not free from criticism from his superiors after he received an adverse fitness report early in his career²¹ and later received a letter of caution for jumping his chain of command.²² An often-referenced critique came less than a year before the collision, in which a senior officer remarked to him that he was the only one who was informal on the ship.²³ Commander Waddle refers to this as a laid-back style of leadership,²⁴ but that informality did not flow both ways.²⁵

It seems that this shortcoming in his leadership skills was at the heart of the collision. Given the benefit of hindsight, one can see how a number of errors, each individually small, combined to cause a huge tragedy.

In recounting the events leading to the collision, CDR Waddle tracks the actions of four personnel: himself; his executive officer, Lieutenant Commander (LCDR) (O-4) Gerald K. Pfeifer; officer of the deck, Lieutenant Junior Grade (O-2) Michael J. Coen; and the ship's fire control technician, Petty Officer First Class (PO1) (E-6) Patrick T. Seacrest. Approximately one hour before the collision, LCDR Pfeifer approached CDR Waddle in his stateroom where he was autographing souvenir photos of the ship for the distinguished visitors.²⁶ Lieutenant Commander Pfeifer informed CDR Waddle that the day's events were running behind schedule.²⁷ Commander Waddle responded, "I know what I'm doing, XO.²⁸ We'll deal with it."²⁹

Commander Waddle's response to his XO seems to set the tone for how he dealt with his subordinates: he is in charge, and while he has a plan to deal with the situation, he need not inform his subordinates of it nor empower them to act. This chilling atmosphere of command, where the senior leader brusquely dismisses input from his subordinates, explains a great deal of the miscommunications that occurred on February 9, 2001.

In theory, two independent and somewhat redundant safeguards should have prevented the collision between the *Greeneville* and the *Ehime Maru*. The first was a periscope scan of the surface, in which the surface water is visually scanned for other ships in the vicinity.³⁰ The second was a sonar scan of the area, which would note the presence of other

¹⁶ Commander Waddle understandably did not use such language to describe himself, though he did characterize himself as "somebody . . . who had sought approval all my life." *Id.* at 77. His critics were less charitable, however, and stated that his actions shortly after the *Ehime Maru-Greeneville* collision showed that "(e)ven at the end, (Commander) Scott Waddle didn't have the ability to turn off the public relations persona." *Id.* at 139.

¹⁷ The photograph can be dated based on the discussion of the day's events. *Id.* at 209-210.

¹⁸ The same photograph and at least two others from that day, also appear in the book's photo section. *Id.* at photo sec. 12-14 and back cover of dust jacket.

¹⁹ Commander Waddle states that "some friends . . . had gathered with me for the special occasion," but curiously fails to mention that a professional photographer happened to be among them. *Id.* at 210.

²⁰ A Navy admiral is a flag officer, equivalent to an Army general.

²¹ *Id.* at 61.

²² *Id.* at 76.

²³ *Id.* at 101.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.* at 120.

²⁷ *Id.*

²⁸ "XO" is a military abbreviation for executive officer. See LtCol Eric L. Rolaf, *Defining the Executive Officer's Role: Co's Secretary Or Second In Command?*, at http://wwwnt.cnet.navy.mil/cls/defining_the_executive_officer.htm (last visited Aug. 12, 2004).

²⁹ WADDLE, *supra* note 1, at 120.

³⁰ *Id.* at 122-23.

ships in the area, and, over time, the ship's speed and direction of travel.³¹ Why then, since CDR Waddle performed a surface scan and PO1 Seacrest monitored the sonar equipment, did the accident occur?

The answer is human error. A three- to five-minute surface scan was normal, but CDR Waddle conducted a 360-degree sweep in just 80 seconds.³² Visibility was also less than ideal, as the sun was beginning to set and the sky was hazy.³³ As CDR Waddle explained:

It [the *Ehime Maru*] was a white ship with a narrow aspect—which means it was pointed in our direction, coming straight at us—against the background of a hazy sky on a February afternoon in Hawaii. Had the *Ehime Maru* been moving across the plane of our vision, I'd have seen it, but the white ship against the white horizon was difficult to see two miles away, and I simply missed it.³⁴

Regarding the sonar scan, there was a standing order aboard the *Greeneville* that the fire control technician report any nonmilitary vessel within four thousand yards of the ship to the executive officer, the officer of the deck, or the commanding officer.³⁵ Accordingly, PO1 Seacrest should have reported the presence of Sierra 13,³⁶ which turned out to be the *Ehime Maru*,³⁷ to LCDR Pfeifer, Lieutenant Coen, or CDR Waddle. Yet PO1 Seacrest did not report the other ship.

Commander Waddle speculates that since his surface scan did not note any ships within 4,000 meters, a fact of which PO1 Seacrest was well aware, PO1 Seacrest doubted what his instruments were telling him, and therefore he changed Sierra 13's distance on the sonar screen from 4,000 meters to 9,000 meters.³⁸ Why did PO1 Seacrest take an affirmative action like physically changing a sonar entry without first confirming that action with the ship's captain? The most likely answer is that he was cowed into silence; that just as CDR Waddle abruptly dismissed LCDR Pfeifer's observation on time, PO1 Seacrest may have feared that if he questioned the ship captain's visual observations, particularly in front of a large contingent of distinguished visitors, he, too, might receive a stinging rebuke. So PO1 Seacrest relied on an assumption rather than confirm it with CDR Waddle.

The officer of the deck, Lieutenant Coen, should have noticed the presence of Sierra 13 and its outspotting,³⁹ but he also failed to raise the issue to CDR Waddle. Commander Waddle derisively refers to Lieutenant Coen as a slow officer, who was "notoriously methodical" and "by the book,"⁴⁰ yet overlooks the fact that a by-the-book officer did not go by the book in this instance. Why might this have been? Presumably, Lieutenant Coen did not mention the contact, because he observed that CDR Waddle failed to identify any contacts during his abbreviated periscope scan of the surface.⁴¹ As with PO1 Seacrest, CDR Waddle's style of leadership may have led Lieutenant Coen to choose not to raise what appeared to be a discrepancy between CDR Waddle's visual observations and the instruments. Once PO1 Seacrest outspotted Sierra 13, the discrepancy resolved itself—though incorrectly—thereby sealing the fate of the *Ehime Maru*.

Following the collision, the Navy relieved CDR Waddle of his command.⁴² As the Navy launched an investigation into the matter, CDR Waddle sought legal counsel from a Navy judge advocate, with whom he established a rapport but an unclear attorney-client relationship.⁴³ Shortly thereafter, the Navy announced that an official court of inquiry⁴⁴ would be

³¹ *Id.* at 123-24.

³² *Id.* at 122.

³³ *Id.* at 123.

³⁴ *Id.* at 180.

³⁵ *Id.* at 123.

³⁶ "Sierra 13" was one of three sonar contacts the *Greeneville* tracked at the time leading up to the collision. *Id.*

³⁷ *Id.*

³⁸ *Id.* at 124.

³⁹ "Outspotting" refers to the process by which the distance of a sonar contact changes from its present location to another that is farther away. *Id.*

⁴⁰ *Id.* at 121-22.

⁴¹ *Id.* at 122.

⁴² *Id.* at 144.

⁴³ *Id.* at 155-56.

convened, consisting of three Navy flag officers, and surprisingly,⁴⁵ in an advisory role,⁴⁶ a Japanese Maritime Self-Defense Force flag officer.⁴⁷

Higher headquarters exacerbated CDR Waddle's worries when they told him that they assigned his initial judge advocate—she had not formed an attorney-client relationship with him—and another attorney as lead counsel to the case.⁴⁸ Commander Waddle met his new attorney, but was not favorably impressed.⁴⁹ While the basis for his assessment was purely subjective—the first attorney “march(ed) to her own drumbeat,”⁵⁰ while the new attorney was “by-the-book,”⁵¹ and the two of them would not click as a team⁵²—perceptions can become reality, and the two of them never clicked.

Commander Waddle not only faced that predicament, but the Navy also denied his by-name request⁵³ for a Navy judge advocate out of Norfolk.⁵⁴ Commander Waddle complained, with justification, that while the Navy told him his attorney had to come from within a 100-nautical-mile radius of his command, the other parties to the court of inquiry had assigned attorneys from California and Florida.⁵⁵ Ultimately, CDR Waddle retained civilian counsel to assist in his case.⁵⁶

At the court of inquiry, contrary to his civilian and military attorney's sound advice, CDR Waddle chose to testify before the court without testimonial immunity.⁵⁷ This is part of what CDR Waddle refers to in doing “the right thing;” specifically, that he needed to tell his side of the story about what happened for the sake of the families of those who had died in the accident.⁵⁸ By disregarding his attorneys' advice, however, CDR Waddle did not do the right thing as a client. Judge advocates, particularly those who have served in litigation positions, can well appreciate the dangers faced by a defendant who takes the stand and subjects himself to cross-examination. Commander Waddle admits that his attorneys were thoroughly opposed to him testifying,⁵⁹ but he did so nevertheless and was a stunning success.⁶⁰

⁴⁴ A Navy court of inquiry is analogous in purpose to an Army Article 32 hearing, both designed to find facts and make a recommendation as to the disposition of the case. See generally UCMJ art. 135 (2002). The parties to the inquiry were CDR Waddle, LCDR Pfeifer, and Lieutenant Coen. WADDLE, *supra* note 1, at 157.

⁴⁵ Commander Waddle characterizes the significance of this decision as follows: “(I)t meant for the first time in naval history, a Japanese naval officer, with no allegiance to the United States and no oath to uphold the Constitution of the United States, was going to be sitting in as an adviser in a U.S. naval court of inquiry!” WADDLE, *supra* note 1, at 158. Commander Waddle states that this announcement “shocked the world of jurisprudence.” *Id.* at 157. More tempered analysts pointed out, however, that it was not unheard of for an officer of another nation's armed forces to take part in a U.S. Navy court of inquiry, citing Turkish participation in the 1992 case of the U.S.S. *Saratoga*, where a U.S. Navy ship accidentally launched a missile against a Turkish vessel. Martin Savidge, *Waddle's Family Worried About Sub Skipper's Fate*, CNN.com, Mar. 11, 2001, available at <http://cgi.cnn.com/2001/US/03/11/savidge.debrief/>.

⁴⁶ The Japanese naval officer was allowed to be present for the proceedings, to suggest questions to be asked by one of the three U.S. Navy admirals comprising the court of inquiry, and to participate in the court's deliberations. He did not, however, have a vote in the court's final decision. Savidge, *supra* note 45.

⁴⁷ WADDLE, *supra* note 1, at 157.

⁴⁸ *Id.* at 158.

⁴⁹ *Id.* at 159-60.

⁵⁰ *Id.* at 156.

⁵¹ *Id.* at 158.

⁵² *Id.* at 159.

⁵³ See MANUAL FOR COURTS-MARTIAL, UNITED STATES, R.C.M. 506 (2002) [hereinafter MCM] (detailing the accused's right to request individual military counsel and the procedures for approving or disapproving such a request).

⁵⁴ WADDLE, *supra* note 1, at 158-59.

⁵⁵ *Id.* at 159.

⁵⁶ *Id.* at 168.

⁵⁷ *Id.* at 189-90.

⁵⁸ *Id.* at 190.

⁵⁹ *Id.* at 1-2, 189-90.

⁶⁰ Regarding his testimony, CDR Waddle quotes his civilian attorney as saying, “You kicked butt! Scott, you were awesome! Really great job!” *Id.* at 203.

In the end, the court of inquiry did not recommend a court-martial but the Navy punished CDR Waddle using an admiral's mast.⁶¹ The admirals' mast found him not guilty of negligent homicide,⁶² but guilty of dereliction of duty⁶³ and improper hazarding of a vessel,⁶⁴ and punished him with a verbal reprimand and forfeiture of a half-month's pay for two months, suspended for six months.⁶⁵ Of the seven individuals punished for the incident, CDR Waddle received the most serious punishment.⁶⁶

Commander Waddle claims that his request for retirement was stonewalled until he went to the staff judge advocate for the Pacific Submarine Fleet and threatened to file "Article 113 charges against the chief of staff for harassment,"⁶⁷ as well as taking his case to the press and to Congress.⁶⁸ The Navy granted his request to retire shortly thereafter,⁶⁹ leaving CDR Waddle to lament that he never received a retirement ceremony.⁷⁰

The reader cannot help but wonder: was CDR Waddle's punishment and subsequent separation from military service appropriate? Did the Navy treat him too severely or perhaps too leniently? Does the premature end to a promising career adequately account for nine lives lost and the cost of hundreds of millions of dollars? Some say no, and described CDR Waddle's punishment as "a slap on the wrist."⁷¹ Critics noted that while the incident ended CDR Waddle's naval career, the punishment he received left his military retirement benefits intact.⁷²

Some saw the way the Navy handled the incident as an indictment of the military and of the military justice system as well. One author speculated that Navy leadership, "fearing that a criminal trial would jeopardize their 'distinguished visitor[s]' program," decided against a court-martial, a decision which actually benefited CDR Waddle.⁷³ Another commentator stated that the severity of CDR Waddle's punishment "raises questions about the equity of the military justice system."⁷⁴ Prominent criminal defense attorney, Philip Cave, commented on the perceived disparate treatment of officers and

⁶¹ An "admiral's mast" is the Navy's equivalent of the Army's Article 15, Uniform Code of Military Justice (UCMJ) proceeding. MCM, *supra* note 53, at pt. V.

⁶² UCMJ art. 134 (2002).

⁶³ *Id.* art. 92.

⁶⁴ *Id.* art. 110. Article 110 consists of two offenses: willful and wrongful hazarding, and negligent hazarding. Negligent hazarding is a lesser-included offense of willful and wrongful hazarding. *Id.* The admiral's mast found Waddle guilty of negligently hazarding a vessel, not willfully and wrongfully hazarding a vessel.

⁶⁵ WADDLE, *supra* note 1, at 215.

⁶⁶ Also receiving reprimands, admonishments, or rebukes, were Senior Chief Petty Officer Douglas Coffman, Petty Officer Edward McGiboney, Petty Officer Patrick Seacrest, Captain Robert Brandhuber, LCDR Gerald Pfeifer, and Lieutenant Junior Grade Michael Coen. Gregg K. Kakesako, *Ehime Memorial Unveiled as Sub Returns*, HONOLULU STAR-BULL., Feb. 7, 2002, available at <http://starbulletin.com/2002/02/07/news.story4.html>.

⁶⁷ WADDLE, *supra* note 1, at 229. This is obviously a typographical error, as UCMJ Article 113 relates to misbehavior of a sentinel or lookout. *See* UCMJ art. 113. Commander Waddle's exact meaning is unclear. It is possible that CDR Waddle meant UCMJ Article 133, referring to conduct unbecoming an officer and a gentleman, under the theory that an officer had a certain duty to act in processing the paperwork, and the omission of this duty, equated to misconduct. If this was CDR Waddle's intent, he displayed a common misperception regarding the military justice system in that somehow he could "file charges." *See* UCMJ art. 133. More likely, CDR Waddle meant that he would file an UCMJ Article 138 complaint, which attempts to provide redress for a military member who believes himself wronged by his commanding officer. *See id.* art. 138. Similarly, however, if this was CDR Waddle's intent, he misunderstood the process. An Article 138 complaint is elevated to the next higher superior commissioned officer above the complainant's commanding officer, who in turn forwards the complaint to the officer with general court-martial convening authority over the commanding officer. In short, it is a tool to utilize the chain of command. Commander Waddle's threat to file a complaint against the chief of staff is therefore sheer histrionics, unless the chief of staff was CDR Waddle's commanding officer. It is another insight into CDR Waddle's character that even in an avenue designed to provide relief to a military member, he was unwilling to work within its parameters, bypassing his chain of command, and going to the command staff judge advocate to threaten action against the command chief of staff.

⁶⁸ Once again, CDR Waddle's penchant for grandstanding has him threatening to involve Congress and the press, even before he filed a complaint and given the system a chance to work. WADDLE, *supra* note 1, at 230.

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ Matt Nichter, Socialist Worker Online, *Deadly Joyride on a Nuclear Sub*, Mar. 11, 2001, available at http://www.socialistworker.org/2001/368_02_Navy.shtml.

⁷² Brad Knickerbocker, CHRISTIAN SCI. MONITOR, *Sub Inquiry Leaves Unanswered Questions*, Apr. 25, 2001, available at <http://csmonitor.com/cgi-bin/durableRedirect.pl?durable/2001/04/25/p3s1.htm>.

⁷³ Nichter, *supra* note 71.

⁷⁴ Knickerbocker, *supra* note 72.

enlisted in military justice matters, saying, “I’ve got a lot of [military] clients who’ve done far less than [Commander Waddle] has and they’re in jail. Most of them are enlisted people.”⁷⁵

In terms of precedent, accidents involving submarines are extremely rare,⁷⁶ and the added international ramifications of the *Greenville-Ehime Maru* accident made the incident unique. There have been several cases of accidental loss of life involving U.S. Navy vessels during recent years. For example, the 1988 shutdown of an Iranian airliner by the *U.S.S. Vincennes* killed 290 people; the 1992 firing upon a Turkish destroyer by the *U.S.S. Saratoga* killed five people; and the 2000 suicide bombing of the *U.S.S. Cole* in Yemen killed seventeen Sailors.⁷⁷ “In none of those cases was the ship’s captain court-martialed.”⁷⁸ Accordingly, while the decision to handle the *Greenville-Ehime Maru* accident administratively instead of judicially resulted in some criticism, it appears correct under the circumstances.

Finally, did CDR Waddle do “the right thing” following the accident, as the book’s title suggests? It appears that he did. He formally apologized in person to the families of those who perished in the collision, which is extremely important in Japanese culture.⁷⁹ He even traveled to Japan at personal expense to make his apology.⁸⁰ He disregarded his attorneys’ advice and accounted for his actions before a court of inquiry without testimonial immunity, and while this was not “the right thing” for a client to do, he displayed courage by doing it at great personal risk.

In conclusion, *The Right Thing* is highly recommended to military readers who want to learn more about the culture of U.S. Navy submariners. The book’s greatest strength lies in this regard. Judge advocates in litigation positions can benefit from the author’s perspective of the military justice system. Written from the client’s perspective, it shows the challenges faced by trial attorneys with a strong-willed client of senior rank. Finally, the book provides military commanders with positive as well as negative lessons on leadership. CDR Waddle comes across as a military officer with some shortcomings in his leadership skills that precipitated a tragedy, but who did what he could afterward to make things right.

⁷⁵ *Id.*

⁷⁶ Nevertheless, on 27 August 2001, less than six months after the *Greenville-Ehime Maru* collision, the *Greenville* was involved in another accident, becoming grounded off the coast of Saipan while attempting to enter port. The Navy relieved the ship’s executive officer, navigator, and commanding officer. WADDLE, *supra* note 1, at 234-35; see also Gregg K. Kakesako, HONOLULU STAR-BULL., *Greenville’s New Skipper Relieved of Command*, Sept. 13, 2001, available at <http://starbulletin.com/2001/09/13/news.story16.html>.

⁷⁷ Knickerbocker, *supra* note 72.

⁷⁸ *Id.*

⁷⁹ The book further explains that the Japanese people view an apology as “a gesture of integrity, humility, and honor.” WADDLE, *supra* note 1, at 242.

⁸⁰ *Id.*

THE BOWDEN WAY¹

REVIEWED BY MAJOR JOHN P. JURDEN²

*Here's one insight that every leader should accept at a deep emotional level—namely, EVERYTHING THAT OCCURS WITHIN AN ORGANIZATION REFLECTS BACK UPON ITS LEADER.*³

Managers and supervisors in virtually every type of organization likely have read one or more books that synthesize leadership techniques and recommend how to improve those techniques. Such books as *The One Minute Manager*⁴ propose methods for improving supervisory skills, cultivating effective and efficient subordinates, and developing and maintaining cohesive organizations.⁵ Many of these books are specialized, in that they provide recommendations for improving corporate productivity⁶ or military leadership traits.⁷ Florida State University football coach Bobby Bowden's book, *The Bowden Way*, offers Bowden's perspective on leadership and the techniques he deems necessary to build effective, efficient organizations.

Bowden offers his insight based on the experiences he gained during a coaching career spanning more than fifty years. While Bowden's book describes leadership from a coaching perspective, its leadership principles and lessons transcend the coaching profession. Bowden narrates his book in the tradition of leadership primers like *The One Minute Manager*⁸ and leadership books that other coaching legends have written.⁹

Some readers may deem Bowden's philosophy—and the book's disjointed structure¹⁰—as merely a compilation of trite, common sense absolutisms. Readers may view his book as a collection of philosophies with which no rational person may argue. Others may find both self-righteous and self-serving his reliance on moral and religious principles,¹¹ and his often vigorous defense of his past practices.¹² However, Bowden excels at placing his leadership philosophy in context by describing episodic examples from his coaching and life experiences. He thus succeeds at permitting readers to “see” and “learn” leadership through his eyes.

Bowden, admittedly having written his book at the sunset of his career, chose to record his leadership philosophy in order to provide other leaders a framework with which to shape their own organizations.¹³ The second-winningest active college coach at the time he wrote *The Bowden Way*,¹⁴ Bowden possesses the professional competence and success required to write as a leadership authority. In Bowden's view, he has already encountered many of the pitfalls lining the path to success; his book merely reminds leaders of the unalterable principles and traits of leadership that make the journey easier.¹⁵ Ultimately, Bowden's book provides leaders at all levels an entertaining and often enlightening roadmap for personal and professional growth, as well as for organizational improvement.

¹ BOBBY BOWDEN, *THE BOWDEN WAY* (2001)

² United States Army. Written while assigned as a Student, 52d Judge Advocate Officer Graduate Course, The Judge Advocate General's Legal Center and School, United States Army, Charlottesville, Virginia.

³ BOWDEN, *supra* note 1, at 11.

⁴ KENNETH BLANCHARD & SPENCER JOHNSON (1981).

⁵ See, e.g., THOMAS J. PETERS & ROBERT H. WATERMAN, JR., *IN SEARCH OF EXCELLENCE: LESSONS FROM AMERICA'S BEST-RUN COMPANIES* (1982); BLANCHARD & JOHNSON, *supra* note 4; AUBREY NEWMAN, *FOLLOW ME: THE HUMAN ELEMENT IN LEADERSHIP* (1981).

⁶ See, e.g., BLANCHARD & JOHNSON, *supra* note 4.

⁷ See, e.g., NEWMAN, *supra* note 5. See generally DEAN HOHL & MARYANN KARINCH, *RANGERS LEAD THE WAY: THE ARMY RANGERS' GUIDE TO LEADING YOUR ORGANIZATION THROUGH CHAOS* (2003), for an analysis of the application of military leadership skills to the corporate environment.

⁸ BLANCHARD & JOHNSON, *supra* note 4.

⁹ See, e.g., LOU HOLTZ, *WINNING EVERY DAY: THE GAMEPLAN FOR SUCCESS* (1998).

¹⁰ See *infra* notes 16-21 and accompanying text.

¹¹ See *infra* notes 22-26 and accompanying text.

¹² See, e.g., *infra* notes 43-46 and accompanying text.

¹³ BOWDEN, *supra* note 1, at vii-viii.

¹⁴ R. Stephen Bowden, *Foreword* to BOBBY BOWDEN, *THE BOWDEN WAY* IX (2001).

¹⁵ See BOWDEN, *supra* note 1, at 1-2.

The Bowden Way is a compendium of twenty-six distinct leadership principles and factors that, in Bowden's opinion, bear on leadership.¹⁶ Bowden neither prioritizes nor logically groups these principles and factors, and he does not explain his rationale for their order of precedence in the book. Readers therefore may find that Bowden careens from one distinct topic to another throughout the book, without thought to smooth progression and transition. A proposed grouping segregates the twenty-six chapters into the following six general themes: improving personal and professional effectiveness;¹⁷ practicing moral virtues;¹⁸ developing and maintaining a leadership persona;¹⁹ developing institutional efficiency and effectiveness;²⁰ developing subordinate leaders;²¹ and factoring the intangibles that bear on leadership.²² Military and civilian organization leaders will recognize that many, if not all, of these themes influence their own organizational leadership models.

Bowden also provides, at the book's conclusion, a separate list of the "Thirty-Five Rules" that have guided him from the onset of his collegiate Division I coaching career in 1970.²³ These separate rules place into context the leadership principles Bowden discusses throughout his book. *The Bowden Way* is replete with implicit references to these thirty-five separate leadership canons, which rely heavily on religious passages and allegories.²⁴ Some readers doubtless will find fault with Bowden's heavy emphasis on religious principles throughout the book. Readers may find that Bowden's personal religious beliefs taint, for example, his approach to the moral virtues he views as so integral to leadership and to organizational cohesion.²⁵ It is impossible, however, to fully comprehend Bowden's leadership philosophy without understanding the importance he places on religion. Readers thus should approach *The Bowden Way* understanding that Bowden is both unapologetic²⁶ for the importance he places on religion and cognizant that evolving societal norms now require a higher degree of tolerance and understanding from him.²⁷

Readers may be surprised that Florida State University, a state institution, permits Bowden to infuse his football program with religious ceremonies and traditions.²⁸ Bowden's emphasis on the importance of religion likely would be less effective and less accepted in the military profession due to the military's emphasis on the importance of individual religious freedom. The right to choose not to participate in religious ceremonies is common in most institutions, especially where such ceremonies may be viewed as sanctioned by the government. Bowden, in fact, makes no mention of any dissent within his football program—among either players or staff—regarding the importance he places on religion.

Bowden's emphasis on personal and professional effectiveness begins with a description of the importance of developing an overall "game plan."²⁹ This culminates in a rather short-term, one-year plan that establishes a schedule of events, incorporates high-quality subordinates, and establishes a roadmap for execution. Bowden implements a rigorous, structured

¹⁶ "My recipe for leadership existed long before I came on the scene In every job I've held as a head coach, I have used this recipe to help build my program." *Id.* at 1.

¹⁷ The rubric "Personal Effectiveness," for example, might incorporate Chapters 1, 7, and 8 of Bowden's book, respectively: "Having a Game Plan"; "Work habits"; and "Time Management."

¹⁸ The rubric "Moral Virtues" might incorporate Chapters 4, 6, and 17 of Bowden's book, respectively: "Living with Integrity"; "Humility"; and "Confidentiality."

¹⁹ This grouping might incorporate chapters 2, 3, 9, 12, and 18 of Bowden's book, respectively: "Taking Charge"; "Setting a Personal Example"; "The Art of Persuasion"; "Staff Meetings"; and "Keeping a Professional Distance."

²⁰ This grouping might include chapters 10, 11, and 14 of Bowden's book, respectively: "Hiring"; "Firing"; and "Meting Out Discipline."

²¹ This grouping might include chapters 5, 13, 15, 16, and 19 of Bowden's book, respectively: "Loyalty"; "Evaluating Performance"; "Morale"; "Salaries and Promotions"; and "Enthusiasm."

²² These "intangibles" might incorporate chapters 20 through 26 of Bowden's book, respectively: "Relating to Superiors"; "Dealing with the Public"; "The Media"; "Handling Success"; "Dealing with Adversity"; "Changing with the Times"; and "Age—The Caveat."

²³ BOWDEN, *supra* note 1, at 247-51.

²⁴ For example, Bowden instructs that "Christ calls us to be servants, not masters," in one rule. *Id.* at 249. Eight of the rules, moreover, quote *Bible* passages directly. *See id.* at 248-50.

²⁵ *See, e.g., id.* at 35 (describing Bowden's firing of an unmarried subordinate who consumed alcohol with college cheerleaders); *id.* at 238 (noting that Bowden's conservative religious upbringing contributed to him "living a morally good life").

²⁶ *See id.* at 248 (remarking that Bowden offers "no apology" for the strong religious themes that dominate his "Thirty-Five Rules").

²⁷ *See, e.g., id.* at 238-39 (acknowledging that for most of Bowden's career, he refused to hire divorced coaches, but confiding that he now understands how societal conventions shaped his views on divorce).

²⁸ *See, e.g., id.* at 110 (describing Bowden's practice of beginning each staff meeting with a devotional and prayer which coaches and trainers take turns leading).

²⁹ *See id.* at 3-9.

work schedule for himself, and expects his subordinates to do so as well. He acknowledges the importance of time management, and understands the value of delegation to competent subordinates to ensure critical task completion.

According to Bowden, successful implementation of his strategy requires that the subordinates he handpicks to perform in his organization possess the highest moral character. For Bowden, professional competence seems more the product of—not tangential to—an individual’s moral character.³⁰ Integrity, loyalty, and the ability to maintain professional confidences, for example, are indicators of a person’s moral character, in Bowden’s opinion.

Readers will likely find no fault with Bowden’s personal views on the importance of moral character. Readers may question, however, whether certain professions can more easily accommodate employees possessing supposedly “low” moral character who, nevertheless, are capable of producing a superior product or performing to or above established standards. Arguably, even members of Bowden’s own coaching profession may be able to divorce themselves of morals and yet produce outstanding records, at least until their indiscretions become public. However, Bowden’s philosophy—that professional competence and moral character are intertwined—appears well suited to the military profession, at least, due to the importance the military places on core leadership virtues such as honor.

Bowden may surprise readers by his descriptions of actions that, in his opinion, reveal moral failings. Bowden recounts one instance, for example, in which he fired a subordinate coach who shared alcohol with several college cheerleaders.³¹ Bowden recounts another instance in which he fired a subordinate coach after that coach divorced his wife.³² In fairness to Bowden with regard to the latter instance, he now recognizes that changing social norms dictate that he alter his outlook toward divorce.³³ First and foremost, Bowden demands these moral qualities of himself, as the organizational leader.³⁴

Bowden continuously strives to develop and maintain his own leadership persona. He acknowledges the difficulty of this task, recognizing that leaders who may work years to develop the persona can lose it in an instant for a variety of reasons.³⁵ For Bowden, development of this leadership persona begins with the staff meetings that he plans and runs.³⁶ Staff meetings provide subordinates an opportunity to observe their leaders’s philosophies and problem-solving techniques. Bowden instructs that leaders can cultivate the proper leadership persona by understanding their organization’s mission better than anyone else³⁷ and maintaining a distance, professionally, from subordinates in order to preserve organizational hierarchy.³⁸ Bowden places a premium on the latter; as he notes, subordinates simply “expect more out of you than they do of their peers.”³⁹ As Bowden notes, when leaders choose to lead by building coalitions rather than by preserving hierarchical structures, the organization’s efficiency and effectiveness will suffer.⁴⁰

Building and increasing the effectiveness and efficiency of an organization, according to Bowden, depends on cultivating a sense of teamwork and togetherness among its members. Bowden uses his hiring process to instill this sense of teamwork in his subordinate leaders. He expects such prospective leaders’s enthusiasm and “team first” mentality to trickle down to each member of the organization.⁴¹ As a leader apparently possessing extraordinary latitude in the hiring and firing process, Bowden has the luxury of handpicking those who he believes will meet his expectations.

³⁰ See, e.g., *id.* at 34 (“When you don’t know the answer, the surest course is to do what you believe is right.”). Bowden notes that he foremost demands integrity from himself and his staff if he is to succeed in his profession, and he ensures prospective hires know this, as well. *Id.* at 34-35.

³¹ *Id.* at 35.

³² *Id.* at 103.

³³ *Id.*

³⁴ See, e.g., *id.* at 26 (“Such leadership begins with the cultivation of good habits, particularly the habits of good character.”).

³⁵ Bowden cautions, for example, against actions that leaders might regret, because eventually others will become aware of them. *Id.* at 22.

³⁶ *Id.* at 113.

³⁷ Bowden advises leaders to distill their organizational mission to its essence in a three- to five-point summary, in order for them effectively to advocate on behalf of the mission. *Id.* at 86.

³⁸ As Bowden notes, the “gulf separating [leaders] from [subordinates] cannot be removed unless [leaders] choose to abdicate [their] role as leader.” *Id.* at 165.

³⁹ *Id.* at 171.

⁴⁰ See *id.* at 166.

⁴¹ See *id.* at 92.

Bowden uses discipline to enforce the few rules that he imposes on his organization. He admits that he rarely encounters discipline problems among his staff.⁴² However, Bowden confides, he views dismissals as a personal failure on his part, because he—and he alone—made the decision to hire the person. Bowden’s philosophy is revealing in that he leaves unanswered the question whether his “failure” relates simply to poor judgment in the hiring process or to his failure to develop a subordinate he presumably believed possessed potential. Leaders of organizations who do not possess this latitude in “picking and choosing” their members may find Bowden’s views on this subject less helpful than other of his views.

Readers may find most revealing those parts of Bowden’s book detailing how he develops subordinates professionally. From cultivating a sense of loyalty to building and maintaining high morale and enthusiasm, leaders must set the example. According to Bowden, leaders must both demand and practice loyalty in order to create unity. Leaders, likewise, are primarily responsible for the morale and enthusiasm that emanates from an organization, and high levels of both are integral to providing organizations a competitive edge.⁴³

Readers may find Bowden’s emphasis on loyalty interesting for his vigorous defense of past disciplinary practices regarding his players. Throughout his book, Bowden relates a variety of disciplinary sanctions he imposed on former players, and his rationale for each.⁴⁴ At least one of those players disciplined, Laveranues Coles, has since become a professional football player.⁴⁵ Coles remains convinced that Bowden applied a double standard in his case by dismissing him from the team, while merely suspending his co-offender.⁴⁶ Bowden’s reasoning does, in fact, raise questions, as he admits that he merely suspended Coles’s co-offender (a collegiate Heisman Trophy candidate) “pending a final verdict on the case.”⁴⁷ Bowden appears defensive and, perhaps, self-serving in his description of his handling of the incident.

In his book’s final six chapters, Bowden describes certain intangible factors and concepts that may complicate leadership. The intangibles of relating to superiors, dealing with the public and media, handling both success and adversity, adapting to cope with changing times, and aging all impact on leadership to some degree, according to Bowden. Bowden describes his approach to relating to his superiors in the context, presumably, of how he prefers to maintain relations with his own subordinates. In Bowden’s opinion, “If I’m doing my job, and they’re doing their jobs, it’ll all work out fine.”⁴⁸ Bowden provides superb guidance by relating this simple, but incisive, philosophy; subordinates often may be so concerned with how “the boss” perceives them that their work product suffers from a desire to please their superior. Concerns about superior-subordinate relations may, if unchecked, ultimately stifle both creativity and an open and frank exchange of ideas.

Although readers ultimately may view *The Bowden Way* as a mere compendium of common sense leadership canons, the book’s shortcoming also is its strength. Bowden entertains and challenges readers with his first-person account of the leadership challenges, successes, and failures that he has experienced during a career spanning more than fifty years. Bowden borders on self-righteousness in some places, and some readers may interpret him as defensive and self-serving in other places. Nevertheless, he succeeds at instructing leaders at all levels how to maximize their natural strengths and to recognize and adjust to their inherent weaknesses.

I recommend Bowden’s book for leaders wishing to acquaint or reacquaint themselves with basic leadership principles that are not limited to particular organizational leadership models. Bowden is first and foremost a football coach, and *The Bowden Way* is replete with coaching references. The explicit football references, however, do not dilute Bowden’s common sense approach to improving leadership skills and building effective, efficient organizations. Bowden’s philosophy and recommendations, while arguably controversial, are not complicated; putting them into practice, as Bowden’s book instructs, however, may take a lifetime to perfect.

⁴² *Id.* at 133 (noting that if leaders “hire the right people, [they] don’t have discipline problems”).

⁴³ *See id.* at 135 (“High morale may be the greatest advantage you can bring to a game.”); *id.* at 177 (“People perform best when they are excited about their work.”).

⁴⁴ *See, e.g., id.* at 12 (describing his punishment of several players for violating collegiate rules on the acceptance of gifts); *id.* at 201-02 (describing his decision to dismiss a future professional athlete, Randy Moss, from the team due to Moss’s series of disciplinary violations); *id.* at 202 (describing his decision to dismiss a future professional athlete, Laveranues Coles, from the team for accepting discounted merchandise from a department store).

⁴⁵ *See* Sally Jenkins, *Elephants and Coles Never Forget*, WASH. POST, Sept. 6, 2003, at D1, D6 (noting Coles’s professional status with the Washington Redskins football team).

⁴⁶ Coles notes that he feels “abandoned” by his former school which, in his opinion, “cut [him] loose when [he] needed them most.” *Id.* at D6.

⁴⁷ BOWDEN, *supra* note 1, at 202.

⁴⁸ *Id.* at 191.